

Larry DONIHOO v. STATE of Arkansas

CR 95-1194

915 S.W.2d 270

Supreme Court of Arkansas
Opinion delivered February 12, 1996

APPEAL & ERROR — MOTION FOR RULE ON CLERK — GOOD CAUSE FOR GRANTING. — An admission by an attorney for a criminal defendant that the record was tendered late due to a mistake on his part is good cause to grant a motion for rule on the clerk.

Motion for Rule on the Clerk; granted.

Garnet E. Norwood, for appellant.

No response.

PER CURIAM. Appellant, Larry Donihoo, by his attorney, Garnet E. Norwood, has filed a motion for rule on the clerk. His attorney admits that the record was tendered late due to an error on his part.

[1] We find that such error, admittedly made by the attorney for a criminal defendant, is good cause to grant the motion. See per curiam order dated February 5, 1979. *In re: Belated Appeals in Criminal Cases*, 265 Ark. 964; *Terry v. State*, 272 Ark. 243, 613 S.W.2d 90 (1981).

A copy of this opinion will be forwarded to the Committee on Professional Conduct.